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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/607,534	06/29/2000	Elaine Lusher	3COM-2950.TDC.US.P	8641
7590	12/14/2004		EXAMINER	
Wagner Murabito & Hao LLP Third Floor Two North Market Street San Jose, CA 95113			VU, VIET DUY	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/607,534	LUSHER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Viet Vu	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 18 November 2004.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-21 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

**Art Rejections:**

1. The text of 35 USC 103(a) not cited here can be found in the previous office action.

2. Claims 1-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Herrod et al, U.S. pat. No. 6,237,053.

Per claims 1-5, Herrod discloses a system and method for providing information to an application on a mobile device comprising:

- a) retrieving information from a source (network of input devices) (see col 4, lines 8-17),
- b) dynamically assessing the information by matching the information against a predefined set of application specific tags to determine a type of application to which the retrieved information pertains (col 4, lines 38-56; col 5, lines 23-29),
- c) selectively filtering/reformatting the retrieved information such that desired information is compiled (col 5, lines 30-50),
- d) forwarding the compiled information to the application on the mobile device (see col 5, lines 51-61).

Herrod also teaches implementing the invention in a (wireless) network environment (see col 7, lines 17-41). Herrod does not explicitly teach forwarding compiled information from a network device to a mobile device via the wireless network.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the wireless network for transmitting any application and/or compiled data between any network devices including main computer and mobile devices because it would have enabled distributing application and data among the devices more effectively (see col 7, lines 31-41).

Per claims 6-7, Herrod also teaches converting retrieved data into proper format based upon the determined characteristic of the destination application/device (see col 5, line 62 - col 6, line 9). It would have been further obvious to one skilled in the art to practice the invention with any conventional text/image filters or converters.

Claims 8-21 are similar in scope as that of claims 1-7.

**Response to the Amendment:**

4. Applicant's arguments filed 11/18/04 are moot in view of new grounds of rejection set forth above.

**Conclusion:**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Thursday from 8:00am to 4:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.



VIET D. VU  
PRIMARY EXAMINER

Art Unit 2154  
12/10/04